

Village of Lombard

*Village Hall
255 East Wilson Ave.
Lombard, IL 60148
villageoflombard.org*



Minutes

Thursday, June 20, 2024

6:00 PM

Village Hall Board Room

Village Board of Trustees

Village President Keith Giagnorio

Village Clerk Liz Brezinski

*Trustees: Brian LaVaque, District One; Anthony Puccio, District Two;
Bernie Dudek, District Three; Andrew Honig, District Four;
Dan Militello, District Five; and Bob Bachner, District Six*

I. Call to Order and Pledge of Allegiance

The regular meeting of the President and Board of Trustees of the Village of Lombard held on Thursday, June 20, 2024 in the Board Room of the Lombard Village Hall was called to order at 6:00 p.m. by Village President Keith Giagnorio. Assistant Director of Public Works Dave Gorman led the Pledge of Allegiance.

II. Roll Call

8 - Keith Giagnorio, Elizabeth Brezinski, Brian LaVaque, Anthony Puccio, Bernie Dudek, Andrew Honig, Dan Militello, and Bob Bachner

Staff Present:
Village Manager Scott Niehaus
Director of Finance Tim Sexton
Director of Community Development Bill Heniff
Assistant Director of Public Works Dave Gorman
Chief of Police Tom Wirsing
Fire Chief Rick Sander
Deputy Village Manager Nicole Aranas
Village Attorney Jason Guisinger
Executive Coordinator Carol Bauer

III. Public Hearings

IV. Public Participation

V. Approval of Minutes

A motion was made by Trustee Dan Militello, seconded by Trustee Andrew Honig, that the minutes of the regular meeting of May 16, 2024 be approved. The motion carried by the following vote:

Aye: 6 - Brian LaVaque, Anthony Puccio, Bernie Dudek, Andrew Honig, Dan Militello, and Bob Bachner

VI. Committee Reports

Community Promotion & Tourism - Trustee Bernie Dudek, Chairperson

No report

Community Relations Committee - Trustee Dan Militello, Chairperson

No report

Economic/Community Development Committee - Trustee Anthony Puccio, Chairperson

Trustee Brian LaVaque, Alternate Chairperson of the Economic & Community Development Committee, reported the following: At the June 10 meeting of the Economic & Community Development Committee, members discussed economic incentive request amendments for the proposed Prairie Food Co-op grocery store at Eastgate Shopping Center. This request, which is still being developed, was requested in light of proposed State legislation which would amend the grocery tax program by the State. The Committee unanimously recommended that staff and Counsel work with PFC on an agreement with alternate funding sources for future consideration by the Village Board.

The Committee also heard a presentation by Choose DuPage regarding their new Municipal Analytics Program, which is intended to provide access a broad range of economic development tools and resources to address economic development data inquiries for the Village. The ECDC unanimously approved an annual expenditure of \$5,000 for the Village of Lombard to become a Program partner.

Finance & Administration Committee, Trustee Andrew Honig, Chairperson

Trustee Andrew Honig, Chairperson of the Finance & Administration Committee, reported the following:

Staff provided an overview of the IML summary as it pertains to the grocery tax elimination in 2026.

Public Safety & Transportation Committee - Trustee Brian LaVaque Chairperson

Trustee Brian LaVaque, Chairperson of the Public Safety & Transportation Committee, reported the following:

The Committee reviewed stop sign highlighting at Pleasant Lane and Berkshire Avenue; received an update on the Fire Department and Police Department, and the DuPage County Mental Health Pilot Program.

Public Works & Environmental Concerns Committee - Trustee Bob Bachner, Chairperson

No report

Lombard Historic Preservation Commission - Village Clerk Liz Brezinski

No report

VII. Village Manager/Village Board/Village Clerk Comments

No report

VIII Consent Agenda

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Payroll/Accounts Payable

- A. [240180](#) **Approval of Accounts Payable**
For the period ending May 17, 2024 in the amount of \$380,618.87.
This Payroll/Accounts Payable was approved on the Consent Agenda
- B. [240184](#) **Approval of Village Payroll**
For the period ending May 18, 2024 in the amount of \$992,403.37.
This Payroll/Accounts Payable was approved on the Consent Agenda
- C. [240185](#) **Approval of Accounts Payable**
For the period ending May 24, 2024 in the amount of \$1,580,151.99.
This Payroll/Accounts Payable was approved on the Consent Agenda
- D. [240193](#) **Approval of Accounts Payable**
For the period ending May 31, 2024 in the amount of \$324,814.18.
This Payroll/Accounts Payable was approved on the Consent Agenda
- E. [240199](#) **Approval of Village Payroll**
For the period ending June 1, 2024 in the amount of \$1,157,952.90.
This Payroll/Accounts Payable was approved on the Consent Agenda
- F. [240200](#) **Approval of Accounts Payable**
For the period ending June 7, 2024 in the amount of \$1,054,867.41.
This Payroll/Accounts Payable was approved on the Consent Agenda
- G. [240209](#) **Approval of Accounts Payable**
For the period ending June 14, 2024 in the amount of \$1,669,131.20.
This Payroll/Accounts Payable was approved on the Consent Agenda

Ordinances on First Reading (Waiver of First Requested)

- H. [240186](#) **Amending Title XI, Chapter 112 Section 112.13(A) of the Lombard Village Code - Alcoholic Beverages**
An ordinance amending the Village Code to revise the number of available liquor licenses in the Class "A/B-II" and "A/B-III" liquor license

categories, to reflect the change of Blazin Wings, Inc. d/b/a Buffalo Wild Wings Grill & Bar, from a Class "A/B-III" to a Class "A/B-II". Staff requests a waiver of first reading. (DISTRICT #6)

This Ordinance was waived of first reading and passed on second reading with suspension of the rules on the Consent Agenda

Enactment No: Ordinance 8269

I. [240211](#)

Amendments to Title XI, Chapter 112 of the Lombard Village Code - Alcoholic Beverages - 203 Yorktown, Suite C1

An Ordinance amending Title XI, Chapter 112 of the Lombard Village Code creating a new Class "VVV" liquor license category as well as amending other sections within Chapter 112 which will be affected by the creation of the Class "VVV" liquor classification and issuing a Class "VVV" liquor license to Yorkville Tap, LLC d/b/a Tapville - Drink While You Shop located at 203 Yorktown Mall Drive, C1. Petitioner requests a waiver of first reading. (DISTRICT #3)

This Ordinance was waived of first reading and passed on second reading with suspension of the rules on the Consent Agenda

Enactment No: Ordinance 8270

I-2. [220185](#)

Yorktown Reserve Economic Incentive Agreement - Second Amendment

Lombard Development Manger LLC requests a Second Amendment to the previously approved Yorktown Reserve Economic Incentive Agreement. This amendment extends certain construction timelines and milestones, the funding obligation date and the date for the developer to close on a portion of the JCPenny tract. (DISTRICT #3)

This Ordinance was waived of first reading and passed on second reading with suspension of the rules on the Consent Agenda

Enactment No: Ordinance 8271

Other Ordinances on First Reading

Ordinances on Second Reading

Resolutions

J. [240190](#)

Intergovernmental Agreement Between Village of Lombard and Glenbard Township HS District No. 87

Resolution authorizing an Agreement between the Village of Lombard and Glenbard Township High School District No. 87 for the Village to provide paramedic services during football games held at the Glenbard East High School for the fall of 2024. (DISTRICT #2)

This Resolution was adopted on the Consent Agenda

Enactment No: R 32-24

K. [240191](#)

St. Charles Road Resurfacing Project - Resident Engineering

Approving a contract with Christopher B. Burke Engineering in the amount not to exceed \$205,016.00 to include resident engineering services for the St. Charles Road Resurfacing Project. The project includes roadway resurfacing, pavement markings and pedestrian improvements. (DISTRICTS #1 and #4)

This Resolution was adopted on the Consent Agenda

Enactment No: R 33-24

L. [240196](#)

Professional Services Contract - Public Relations Services related to Public Safety Facility Improvements

Approving a contract with MECO Consulting Group of Park Ridge, Illinois in the amount of \$25,450.00 for the Public Relations Services related to Public Safety Facility Improvements.

This Resolution was adopted on the Consent Agenda

Enactment No: R 34-24

M. [240197](#)

Fleet Facility Expansion Project, Architectural Services Contract Amendment

Approving a contract amendment with TRIA Architects in the amount of \$50,380.70. This amendment is for the additional work performed by TRIA Architects that was not included in the original scope of the contract. (DISTRICT #6)

This Resolution was adopted on the Consent Agenda

Enactment No: R 35-24

M-2. [230267](#)

Second Amendment to Memorandum of Understanding with the Helen Plum Library Relative to The Elmhurst Memorial Hospital Parking Lot

Approving a Resolution authorizing the Village President and Village Clerk to enter into a Second Amendment to the Memorandum of Understanding with the Helen Plum Library for a portion of the Elmhurst Memorial Hospital Lot. The Village will have full access to 44 spaces in the Elmhurst Hospital Lot. The current Memorandum expires July 1, 2024. The Parties have agreed to extend the Memorandum of Understanding until such time as the property is conveyed to the Lombard Park District or August 31, 2024. (DISTRICT #1)

This Resolution was adopted on the Consent Agenda

Enactment No: R 36-24

Other Matters

- N.** [240179](#) **Manhole Rehabilitation Program, Bid Renewal FY2024**
Request for a waiver of bids and award of a contract to Structured Solutions, LLC., the lowest responsible bidder within the MPI bidding process in 2022, in the amount of \$62,895.43. Staff recommends exercising the final renewal option within the MPI for the yearly maintenance program to extend the service life of manholes within the sanitary and sewer network. (DISTRICTS - ALL)
This Bid was approved on the Consent Agenda
- O.** [240205](#) **Street Light Pole Purchase**
Request for a waiver of bids and award of a contract to KSA Lighting of Itasca, Illinois, in the amount of \$164,640.00. Staff solicited quotes from three (3) separate manufacturers that can produce an aluminum pole that meets Village specifications. This purchase will replace light poles that will be taken down due to severely deteriorated condition. (DISTRICTS #1, #3, #5 & #6)
This Bid was approved on the Consent Agenda
- P.** [240206](#) **Purchase of Additional Meridian Barrier System Components**
Request for a waiver of bids and award of a contract to Meridian Rapid Defense Group in the amount of \$69,665.71 for the purchase of one (1) Archer Beam Gate, two (2) Archer Barriers and one (1) Archer Trailer. Waiver of bids is requested because these items are from a sole source vendor being purchased through GSA Contract #47QSWA19D001F.
This Bid was approved on the Consent Agenda
- Q.** [240182](#) **DuPage Mayors and Managers Conference Membership**
Request for concurrence in approving the 2024-2025 annual membership dues in the amount of \$38,265.92 for the DuPage Mayors and Managers Conference.
This Request was approved on the Consent Agenda
- R.** [240208](#) **Award of a Contract to Constellation NewEnergy for Electrical Energy for Street Lighting**
Motion to ratify a three-year agreement with Constellation NewEnergy, Inc. for the provision of electrical energy for street lighting.
This Request was approved on the Consent Agenda
- S.** [240210](#) **General Release and Settlement of All Claims Joseph James v. Village of Lombard**
Request for concurrence of the Village Board in the proposed general release and settlement agreement in the matter of James v the Village of Lombard, Case No. 15 L 950, Circuit Court of DuPage County,

Illinois.

This Request was approved on the Consent Agenda

T. [240126](#)

Re-appointments - Board of Fire & Police Commissioners, Fire Pension Board of Trustees, Police Pension Board of Trustees and Plan Commission

Request for concurrence in the re-appointment of Tom Rachubinski to the Board of Fire and Police Commissioners for a three year term to May 2027; re-appointment of George Seagraves to the Fire Pension Board of Trustees for a three year term to April 2027; re-appointment of Jerry Peterson to the Police Pension Board of Trustees for a two year term to April 2026; re-appointment of Alissa Verson, Leigh Giuliano and Bill Johnston to the Plan Commission for four year terms to May 2028; re-appointment of Leigh Giuliano as Plan Commission Chairperson with a one year term to May 2025.

This Appointment was approved on the Consent Agenda

U. [240207](#)

Appointment - Public Safety & Transportation Committee

Request for concurrence of Charles Kay to the Public Safety & Transportation Committee to fill a vacancy created by the resignation of Patrick Casey with a term to May 2025.

This Appointment was approved on the Consent Agenda

Approval of the Consent Agenda

A motion was made by Trustee Brian LaVaque, seconded by Trustee Bob Bachner, to Approve the Consent Agenda The motion carried by the following vote

Aye: 6 - Brian LaVaque, Anthony Puccio, Bernie Dudek, Andrew Honig, Dan Militello, and Bob Bachner

IX. Items for Separate Action

Ordinances on First Reading (Waiver of First Requested)

A. [240181](#)

Ordinance Amending the Village's Fiscal Year 2023 Budget Ordinance

2023 budget increase of \$4,793,570 to the General Fund for the 2023 waterfall transfer to the Pension Stabilization Fund (\$4,245,526) and transfer to the Building Reserve Fund (\$548,044). Increase of \$563,794 to Capital Projects Fund for the Fleet Facility. Increase of \$293,828 to the Police Pension Fund and an increase of \$324,045 to the Fire Pension Fund for pensioner payments. Waiver of first reading is requested. (2/3 vote of Corporate Authorities required)

A motion was made by Trustee Andrew Honig, seconded by Trustee Dan Militello, that this Ordinance be waived of first reading and passed on second

reading with suspension of the rules. The motion carried by the following vote:

Aye: 7 - Keith Giagnorio, Brian LaVaque, Anthony Puccio, Bernie Dudek, Andrew Honig, Dan Militello, and Bob Bachner

Enactment No: Ordinance 8272

Other Ordinances on First Reading

B. [240168](#)

PC 24-06: 855 E. Roosevelt Road - Creekview Plaza

The Plan Commission submits its recommendation to approve the following action on the subject property located within the B4A Roosevelt Road Corridor District, to provide for the construction of a new principal building:

1. Amend the approvals previously requested through Plan Commission petition PC 22-05, and granted by Ordinance No. 8077, as follows:
 - a. Preservation of the existing conditional use under Ordinance No. 8077, under Sections 155.103(F) and 155.417(G)(2)(a)(vii) of the Zoning Ordinance to allow a second-floor restaurant and banquet, including entertainment and dancing when conducted as part of the restaurant and banquet operations and secondary to the principal use subject to the conditions numbered 2, 3, 7, 10, and 11 (dining and banquet limit of 156) set forth in Section 14 of said ordinance.
 - b. A new conditional use under Sections 155.103(F) and 155.417(G)(2)(b)(iv) of the Zoning Ordinance to allow for a drive-through facility.
 - c. Elimination of the following conditional uses approved in Ordinance No. 8077 (Secs. 2-3) under Sections 155.103(F), 155.417(G)(2)(c)(vii), and 155.417(G)(10)(b) of the Zoning Ordinance: (a) a building containing a restaurant as a principal use that will exceed 40 feet in height; and (b) outdoor display and sales on a seasonal or periodic basis in a row of parking or on the rooftop.
 - d. Preservation of the existing variations under Ordinance No. 8077, under Sections 155.102(B)(3) and 155.103(C)(2)(b), from Sections 155.417(G)(12), 155.417(G)(14) and 155.602(A)(10)(d) of the Zoning Ordinance which require parking lot lighting to be directed away from the lot lines and to fall below certain maximum intensities in order to avoid these requirements for lighting adjacent to the access easement serving the subject property and the easterly adjacent property subject to the conditions numbered 2, 3, 7, 10 set forth in Section 14 of said ordinance.
 - e. Preservation of the existing variations under Ordinance No. 8077, under Sections 155.102(B)(3) and 155.103(C)(2)(b), from Section 155.707(B)(4)(d) which requires transition yard

areas not planted with trees or shrubs to be maintained as lawn in order to permit the south lot line to be maintained with all trees and understory plant material to remain in the wetland, flood way and floodplain reflected in the plans (affects south transition yard except east +/-45 feet) subject to the conditions numbered 2, 3, 7, and 10 set forth in Section 14 of said ordinance.

- f. Preservation of the existing variations under Ordinance No. 8077, under Sections 155.102(B)(3) and 155.103(C)(2)(b), from Section 155.708 which requires a ten-foot foundation landscaping area on all sides of a building in order to allow development without foundation landscaping according to the Landscape Plan subject to the conditions numbered 2, 3, 7, and 10 set forth in Section 14 of said ordinance.
 - g. Preservation of the existing variations under Ordinance No. 8077, under Sections 155.102(B)(3) and 155.103(C)(2)(b), from Article XI which imposes several detailed landscaping requirements in Sections 155.701 through 155.710 in order to accomplish innovative landscaping shown in the four-sheet landscape plan on file with the Village for the benefit of natural areas on the site and to the south as well as residential neighbors to the south subject to the conditions numbered 2, 3, 7, and 10 set forth in Section 14 of said ordinance.
 - h. A new variation from under Sections 155.102(B)(3) and 155.103(C)(2)(b), from Section 155.603 to allow off-street loading to occur in the bypass lane on the east side of the drive-through lane.
 - i. Elimination of the following variations approved in Ordinance No. 8077 (Secs. 4, 5, 7, 8) under Sections 155.102(B)(3) and 155.103(C)(2)(b) of the Zoning Ordinance: (a) parking variations from Section 155.417(G)(12) and 155.602(C) (Table 6.3); (b) loading variations from Sections 155.417(G)(12) and 155.603(A); (c) landscape island variations for rickshaws from Sections 155.417(G)(12) and 155.706(B)(2) (c); (d) landscape and rickshaw lighting variations from Section 155.417(G)(14).
 - j. Approval of a revised site plan and landscaping plan under Section 155.103(I) and Section 155.702 of the Zoning Ordinance subject to the conditions numbered 2, 3, 7, 10 set forth in Section 14 of Ordinance No. 8077.
2. Approval of a preliminary and final plat of subdivision for Creekview/Pep Boys Resubdivision No. 1 which is intended merely to release the access restriction on the driveway at the west end of the reciprocal access easement. (DISTRICT #6)

Director of Community Development Bill Heniff provided an overview

of a Powerpoint presentation regarding PC 24-06, 855 E. Roosevelt Road - Creekview Plaza.

Ken Franklin, resident living behind the property, spoke regarding the proposed Creekview Plaza.

Diane Bellows, resident, spoke questioning number of variances; drive-thru/loading noise; hours of operation; 24-hour coffee; and the banquet hall open until 2:00 am.

Carolyn King, resident, spoke about too many dead/empty strip malls on Roosevelt Road and how we need more green space.

Doris Dornberger, resident, spoke expressing concerns about hours of operation and parking.

Mark Daniel, attorney for petitioner, spoke about the hours of operation; the business decision based on the zoning ordinance; and noted there are no firm answers at this time. He stated the fence is a go, but the contractor is against the fence.

Director of Community Development Bill Heniff spoke about the hours of operation and the liquor license code which allows for 1:30 am last call and 2:00 am closing. He stated the other items are on a case-by-case basis. There are two tenants with other possible tenants in mind and trying to stay in the retail space.

A motion was made by Trustee Bob Bachner, seconded by Trustee Anthony Puccio, that this Ordinance be passed on first reading. The motion carried by the following vote:

Aye: 6 - Brian LaVaque, Anthony Puccio, Bernie Dudek, Andrew Honig, Dan Militello, and Bob Bachner

Ordinances on Second Reading

Resolutions

Other Matters

X. Agenda Items for Discussion

XI. Executive Session

XII. Reconvene

XIII Adjournment

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A motion was made by Trustee Andrew Honig, seconded by Trustee Anthony Puccio, that the regular meeting of the President and Board of Trustees of the Village of Lombard held on June 20, 2024 in the Board Room of the Lombard Village Hall be adjourned at 7:00 p.m. The motion carried by the following vote:

Aye: 6 - Brian LaVaque, Anthony Puccio, Bernie Dudek, Andrew Honig, Dan Militello, and Bob Bachner